

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JUAN L. PERRY,

Plaintiff,

v.

STATE OF TENNESSEE, et al.,

Defendants.

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No. 3:21-cv-00461

ORDER

Before the Court is a Report and Recommendation (“R&R”) (Doc. No. 40) recommending the Court grant Defendant’s Motion for Summary Judgment (Doc. No. 27). No timely objection has been filed.

A party’s failure to “timely object to a report and recommendation releases the Court from its duty to independently review the matter.” Lawhorn v. Buy Buy Baby, Inc., No. 3:20-cv-00201, 2021 WL 1063075, at *1 (M.D. Tenn. Mar. 19, 2021); see also Thomas v. Arn, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).

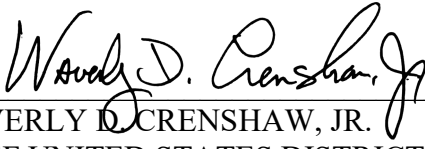
Regardless, the Court thoroughly reviewed the R&R and agrees with the Magistrate Judge’s recommended disposition. Thus, the R&R is **APPROVED AND ADOPTED**. Defendant’s Motion for Summary Judgment (Doc. No. 27) is **GRANTED**. Accordingly, this action is **DISMISSED WITH PREJUDICE**.

Separately, the Court notes that Plaintiff filed a Motion for Extension of Time to File a Response to Defendant’s Motion for Summary Judgment (Doc. No. 41). Plaintiff’s motion is

untimely, (see generally id. (filed after the Magistrate Judge issued the R&R)), and the Magistrate Judge has previously warned Plaintiff that it “will grant no further extensions” for Plaintiff to respond to the Defendant’s Motion for Summary Judgement regardless of Plaintiff’s *pro se* status. (Doc. No. 37 at 3). Therefore, Plaintiff’s Motion for Extension (Doc. No. 41) is **DENIED**.

This is a final order. The Clerk shall enter judgment in accordance with Federal Rule of Civil Procedure 58 and close the file.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE